

Application No. 10/763,758
Response dated July 26, 2006
Response to Final Office action dated June 1, 2006

REMARKS

This amendment is submitted in response to the Final Office action of June 2, 2006. Claims 1, 4, 8-10 and 13-20 are pending in the present application. Claims 16-20 have been withdrawn, claims 1, 4, 10 and 13 are in condition for allowance, claims 9 and 15 have been cancelled without prejudice, and claims 8 and 14 have been amended, leaving claims 1, 4, 8, 10, 13 and 14 for consideration upon entry of the present amendment. The Applicants submit that claims 1, 4, 8, 10, 13 and 14 are in condition for allowance for at least the reasons presented herein.

Claims 8 and 14 have been amended. Support for the amendment can be found at least in FIGS. 6, 8, 9 and 10, and pages 12-20 as originally filed. No new matter has been entered.

Rejections under 35 U.S.C. § 112

Claims 8 and 14 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claim 8 has been amended to recite the feature "wherein the light reflecting pattern includes a plurality of light reflecting protrusions, each of the light reflecting protrusions comprising ..." and all of the references to "light reflecting sections" have been changed to "light reflecting protrusions."

Similarly Claim 14 has been amended to recite the feature "wherein the light reflecting pattern includes a plurality of light reflecting protrusions, each of the light reflecting protrusions comprising ..." and all of the references to "light reflecting sections" have been changed to "light reflecting protrusions."

Figure 8 of the present application provides support for the amended claim. No new matter has been added. Therefore, it is believed that claims 8 and 14 particularly point out and distinctly claim the subject matter which applicant regards as the invention. Therefore, it is respectfully requested that the rejection as to claims 8 and 14 with respect to 35 U.S.C. § 112, second paragraph, be withdrawn.

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Rejections under 35 U.S.C. § 102(b)

Claims 8 and 14 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Yang et al. (United States Patent No. 6,323,919 B1, hereinafter "Yang"). Applicants respectfully traverse the rejection.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Applicants have amended claims 8 and 14 to include the limitations of dependent claims 9 and 15, respectively. Claims 8 and 14 now recite, *inter alia*, "...wherein the first light reflecting planes of the light reflecting protrusions respectively have first angles with respect to the light transmitting surface, the second light reflecting planes of the light reflecting protrusions respectively have second angles with respect to the light transmitting surface, and the light reflecting protrusions each have different heights, wherein the first angles have a substantially identical value, the second angles have a substantially identical value, and the heights are gradually increased by a selected amount such that the height of a light reflecting protrusion is larger as the light reflecting protrusion is remoter from the light incident portion."

In contrast, Yang discloses, in FIGS. 1A, 1B and 2, a light guide plate (20) having pseudo planar surfaces (14) and slanted surfaces (15) which form light reflecting sections of constant height as demonstrated by the apex line (17), which is parallel with the light transmitting surface. In fact, Yang teaches away from the present invention of light reflecting protrusions each having different heights by suggesting that a preferred method for enlarging the slanted surfaces (15) is to form the pseudo-planar surfaces (14) and the slanted surfaces (15) in such a manner that the difference 'd' between the apex line (17) and the bottom line (18) gradually increases. See Column 4, line 64 through Column 5, line 16. This is not the same structure as in the present invention.

Accordingly, amended claims 8 and 14 are believed to be patentably distinct in view of Yang. Therefore, Applicants respectfully request that the Examiner reconsider the rejections to claims 8 and 14 under 35 U.S.C. § 102(b).

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Rejections under 35 U.S.C. § 103

In order for an obviousness rejection to be proper, the Examiner must meet the burden of establishing that all elements of the invention are disclosed in the prior art; that the prior art relied upon, coupled with knowledge generally available in the art at the time of the invention, must contain some suggestion or incentive that would have motivated the skilled artisan to modify a reference or combined references; and that the proposed modification of the prior art must have had a reasonable expectation of success, determined from the vantage point of the skilled artisan at the time the invention was made. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988); *In re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970); *Amgen v. Chugai Pharmaceuticals Co.*, 927 U.S.P.Q.2d, 1016, 1023 (Fed. Cir. 1996). See MPEP 2143.

The Examiner has rejected claims 8, 9, 14 and 15 under 35 U.S.C. § 103(a) as being allegedly unpatentable over Chao-Ching et al. (U.S. Patent No. 6,074,069; hereinafter "Chao-Ching"). Claims 9 and 15 are hereinabove cancelled and rejections are rendered moot for these claims. As discussed above, Yang does not disclose all of the limitations of amended Claims 8 and 14.

Chao-Ching discloses in FIGS. 7, 8 and 10 a light guide assembly comprising diffusion units (21) with an upper side directly on a diffusion piece (3) and a lower side directly on a reflecting piece (4). As shown in the attached magnified drawing, the heights (h) of the diffusion units (21) are all constant. Chao-Ching does not teach or suggest a light guiding plate comprising a light reflecting surface comprising a light reflecting pattern wherein the light reflecting pattern includes a plurality of light reflecting protrusions wherein the light reflecting protrusions each have different heights of amended Claims 8 and 14.

Alternatively, the non-shaded triangular cross-section regions of FIG. 7 may be considered as diffusion units (21). According to this interpretation, the diffusion units (21) are recesses or indentations into the interior material of the light guide plate (2) as shown in FIG. 7. Recesses or indentations into material cannot be considered "protrusions" as claimed. Therefore, even according to this interpretation, Chao-Ching does not teach or suggest the present invention of a light guiding plate comprising a light reflecting surface comprising a light reflecting pattern wherein the light reflecting pattern includes a plurality of light reflecting protrusions of amended Claims 8 and 14.

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As discussed above, Yang and Chao-Ching, alone or in combination, *do not teach or suggest all of the limitations* of amended Claims 8 and 14. Thus, *prima facie* obviousness does not exist regarding amended Claims 8 and 14 with respect to Yang and Chao-Ching.

Additionally, since Yang and Chao-Ching fail to teach or suggest all of the limitations of amended Claims 8 and 14 and that there lacks evidence to show that knowledge generally available to one of ordinary skill in art would lead that individual to combine the relevant teachings of the references to disclose the claimed invention, clearly, one of ordinary skill at the time of Applicants' invention would not have a *motivation to modify or combine the references*, nor a reasonable likelihood of success in forming the claimed invention by the Examiner's modifying or combining the references. Thus, here again, *prima facie* obviousness does not exist. *Id.*

Thus, *prime facie* obviousness does not exist regarding amended Claims 8 and 14 with respect to Yang and Chao-Ching. Claims 8 and 14 are not further rejected or objected and are therefore allowable. Reconsideration, withdrawal of the relevant rejection and allowance of claims 8 and 14 are respectfully requested.

Conclusion

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

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In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicants' attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

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